



Idaho Ground Water Association Inc.

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Mr. John Sharkey
Idaho Department of Water Resources
322 E. Front St
PO Box 83720
Boise, Idaho 83720-0098

RE: Negotiated Rulemaking Language

Dear Mr. Sharkey,

Please find the following suggested language regarding the use of drive shoes and casing for use in sealing both artesian water within the casing and sealing out contamination from outside the casing.

After having many discussions with neighboring state regulatory administrators and reviewing their current well construction rules, and having discussions with others familiar with rulemaking and enforcement of well construction, we have determined that drive shoes and casing are indeed recognized as having the capacity to seal, and if installed properly, provide an adequate seal to protect ground water resources. Every state in the northwest recognizes in one way or another casing and drive shoes as being adequate for sealing, despite statements made to the contrary during the last rulemaking session by IDWR.

We have determined that it should not be the responsibility of a regulatory agency to determine how wells are to be constructed. Rules should only state the goals to be achieved and must allow the driller to determine, through his experience how to meet the rules as written. Therefore, the following language is provided for your consideration:

Standards for Drive Shoe and Casing Sealing in Confining Layers

A well that is constructed using a Drill and Drive method shall:

- a). Install unperforated casing from the land surface into a confining layer immediately overlying the production zone.
- b). Install the Drive Shoe and Casing seal by advancing the casing and or drive shoe sufficiently into the confining layer to create an adequate seal.
- c). Provide testing to demonstrate sealing capabilities if requested by the Director.
- d). Install a surface seal to a minimum depth of eighteen (18) feet below land surface.

Standards for the use of Shale Traps

- a). Install shale traps when necessary to seal out undesirable water to protect ground water resources.

Sincerely



Gary Duspiva MGWC

President

Idaho Ground Water Association